

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

DENNIS EAST INTERNATIONAL, INC.,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 04-11994-RWZ
)	
ATHOME AMERICA, INC.,)	
)	
Defendant.)	

JOINT STATEMENT

Now come the parties and, pursuant to Local Rule 16.1, and Fed. R. Civ. P. 16(b) and 26(b), state as follows:

I. PROPOSED AGENDA

- A. Scheduling a Hearing on Defendant's Pending Motion to Dismiss;
- B. Scheduling Order;
- C. Plaintiff's Settlement Demand and Defendants' Response;
- D. Parties' Positions re: Referral to United States Magistrate Judge for trial.

II. PROPOSED PRETRIAL SCHEDULING ORDER

- A. Fact Discovery: Parties shall complete all written discovery and fact depositions of parties and non-expert witnesses on or before September 30, 2005.
- B. All motions to amend pleadings or join additional parties shall be served on or before September 30, 2005.
- C. Plaintiff shall identify its trial expert witnesses and disclose information required under F.R.C.P. 26(b)(4) with respect to those experts by October 15, 2005.
- D. Defendant shall identify its trial expert witnesses and disclose information required under F.R.C.P. 26(b)(4) with respect to those experts by October 30, 2005.

E. All depositions of plaintiff's expert witnesses shall be completed on or before December 1, 2005.

F. All depositions of defendants' expert witnesses shall be completed on or before December 15, 2005.

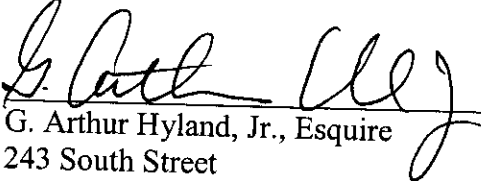
G. All dispositive motions, including motions for summary judgment shall be filed on or before January 31, 2006.

**III. CERTIFICATIONS REGARDING BUDGET AND
ALTERNATIVE DISPUTE RESOLUTIONS**

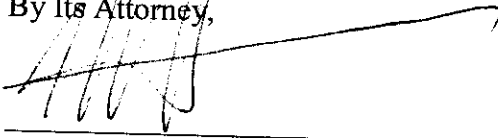
The plaintiff and defendants will provide the required certifications separately.

Respectfully submitted,

The Plaintiff,
DENNIS EAST INTERNATIONAL,
INC.,
By Its Attorney,


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The Defendant,
ATHOME AMERICA, INC.,
By Its Attorney,


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